

DENNIS O'BRIEN, and wife, KAYE)
O'BRIEN)

$$\mathbf{V}_i$$

NEW ENGLAND COMPOUNDING)
PHARMACY, INC. d/b/a NEW)
ENGLAND COMPOUNDING CENTER)
(NECC); MEDICAL SALES)
MANAGEMENT, INC., AMERIDOSE,)
LLC; GREGORY CONIGLIARO,)
individually and d/b/a the above named)
business organizations;)
BARRY CADDEN, individually and)
d/b/a the above named business)
organizations;)
LISA CONIGLIARO CADDEN,)
individually and d/b/a the above named)
business organizations;)
CARLA CONIGLIARO, individually and)
d/b/a the above named business)
organizations; and)
DOUGLAS CONIGLIARO, individually)
and d/b/a the above named business)
organizations.)

JUDGE KEVIN H. SHARP

Defendants.

Defendant Ameridose, LLC (“Defendant” or “Ameridose”), by and through counsel, respectfully submits that it does not oppose the Motion to Reset Initial Case Management Conference filed by Plaintiffs Dennis and Kaye O’Brien or the relief sought therein (Dkt. No. 17).

In addition to the grounds set forth in Plaintiffs' Motion, Ameridose submits that along with the other Defendants named in this case, it has been named in numerous lawsuits in various jurisdictions around the country related to the same alleged set of facts. The parties are currently scheduled to appear before the United States Judicial Panel on Multidistrict Litigation on January 31, 2013, in Orlando, Florida, so that the MDL Panel may determine whether the lawsuits currently pending around the country, including the present action, should be transferred to one federal district for coordinated pretrial proceedings. Given the general agreement amongst the parties that this litigation should be designated for MDL status, it is anticipated that a transfer order will be entered by the MDL Panel to centralize this litigation within seven (7) days of the hearing on January 31, 2013. Given this, as well as the bases set forth in Plaintiffs' initial Motion, Ameridose respectfully submits that the Initial Case Management Conference in this matter should be continued in order to prevent inconsistent pretrial rulings and to conserve the resources of the parties, their counsel and the judiciary.

Based on the foregoing, Defendant Ameridose respectfully requests that this Court grant Plaintiffs' request to reset the Initial Case Management Conference to a future date.

Dated: January 27, 2013.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2013, this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

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